



1/11/09

1638

PATENT
ATTORNEY DOCKET NO. 056100-5005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Pierre BROUN *et al.*)
)
 Application No.: 09/117,921) Group Art Unit: 1638
)
 Filed: March 04, 1999) Examiner: E. McElwain
)
 For: PRODUCTION OF HYDROXYLATED)
 FATTY ACIDS IN GENETICALLY)
 MODIFIED PLANTS)

MAIL STOP AF

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

TRANSMITTAL FORM

1. Transmitted herewith in response to the Office Action dated April 8, 2003 (Paper No. 26) are a **Notice of Appeal**, along with a **Petition for Extension of Time**.
2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[] one month	\$ 110.00	\$ 55.00
[x] two months	\$ 410.00	\$205.00
[] three months	\$ 930.00	\$465.00
[] four months	\$1,450.00	\$725.00

Extension of time fee due with this request: **\$300.00 (first month already paid for)**

If an additional extension of time is required, please consider this a Petition therefor.

- [✓] An extension for **one** month has already been secured and the fee paid therefor of **\$110.00** is deducted from the total fee due for the total months of extension now requested.

3. Fee Payment

- [✓] The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of **\$620.00** for a two-month extension of time (minus one month already paid \$300) and the Notice of Appeal (\$320).

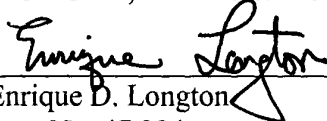
4. Constructive Petition

- [✓] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:


Enrique D. Longton
Reg. No. 47,304

Dated: **September 8, 2003**
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